

City Council Introduction: **Monday**, November 20, 2000
Public Hearing: **Monday**, November 27, 2000, at **5:30 p.m.**

Bill No. 00-211

FACTSHEET

TITLE: **STREET VACATION NO. 00009**, requested by Le Troi, a Nebraska General Partnership, to vacate West Nance Street from N.W. 10th Street, west to the Cornhusker Highway/I-80 right-of-way.

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan and conditional approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent, 07/12/00
Administrative Action: 07/12/00

RECOMMENDATION: A finding of conformance with the Comprehensive Plan and conditional approval (6-0: Bayer, Carlson, Krieser, Newman, Schwinn and Steward voting 'yes'; Duvall, Hunter and Taylor absent).

FINDINGS OF FACT:

1. The Planning staff recommendation to find this proposed street vacation to be in conformance with the Comprehensive Plan with conditions of approval is based upon the "Analysis" as set forth on p.2-3. The conditions of approval are found on p.3.
2. This application was placed on the Consent Agenda of the Planning Commission on July 12, 2000, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation.
4. Condition #1 has now been completed by the applicant and approved by the reviewing departments.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 13, 2000

REVIEWED BY: _____

DATE: November 13, 2000

REFERENCE NUMBER: FS\CC\FSV00009

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: STREET VACATION NO. 00009

DATE: JUNE 26, 2000

PROPOSAL: To vacate West Nance Street from NW 10th Street, west to the Cornhusker Highway/I-80 Right-of-way.

GENERAL INFORMATION:

APPLICANT: Le Troi, A Nebraska General Partnership
c/o K. R. Ward, a General Partner
4035 North 40th Street
Lincoln, NE 68504
402-434-2232

LOCATION: West Nance Street, west of NW 10th Street.

LEGAL DESCRIPTION: West Nance Street from NW 10th Street, west to the Cornhusker Highway/I-80 Right-of-way abutting Lots 21-30, Block 29, and Lots 1-9, Block 30, 1st Addition to West Lincoln, located in the NW¼ of Section 15, Township 10 North, Range 6 East of the 6th P.M. Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: H-3 Highway Commercial District.

PURPOSE: To construct a meeting facility.

SIZE: 33,250 square feet more or less.

ANALYSIS:

1. This is a request to vacate the West Nance Street from west of NW 10th Street, west to the Cornhusker Highway/I-80 Right-of-way.
2. The applicant indicates that the vacated right-of-way will be used, along with the adjacent property, to construct a meeting facility.
3. Both West Nance and NW 10th are gravel streets.
4. The Public Works Department report notes that the Lincoln Water System, Lincoln Electric System, and Alltel all have existing facilities within the proposed vacation. A permanent easement will be required over the entire vacated area for maintenance of existing and future utilities.
5. The Real Estate Division estimates the value of the street, if vacated, to be \$11,000.

6. There are several utility facilities located within this right-of-way along with a major electrical transmission line cutting diagonally across the right-of-way.
7. With the easements required for the utilities, any structure within the right-of-way is impossible. However, parking lots would be allowed within the easement areas.
8. This street is not shown on the Future Functional Street and Road Classification map in the Comprehensive Plan.
9. The vacation will leave Lots 21-29, Block 29, and Lots 2-9, Block 30 without street frontage. City Attorney's Office requires that the owner submit an administrative final plat and that the plat receives approval prior to scheduling the street vacation on the City Council agenda. The administrative final plat will require, at a minimum, the paving of NW 10th Street to Urban Standards, sidewalks along the west side of NW 10th, and street trees along NW 10th.

STAFF RECOMMENDATION:

- 1) The proposed vacation conforms with the 1994 Comprehensive Plan.
- 2) Conditional Approval of the Vacation.

Conditions:

1. Prior to scheduling the vacation on the City Council agenda, the owners shall submit and receive approval of an administrative final plat that combines the lots on each side of West Nance into a lot on each side of the proposed vacated right-of-way that has frontage on NW 10th Street.
2. Retain the utility easements as requested by the Public Works and Utilities Department for the Lincoln Water Department, Lincoln Electric System, and Alltel.

Prepared by:

Richard A. Houck, AICP
Planner II
Planning Department

STREET VACATION NO. 00009

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

July 12, 2000

Members present: Bayer, Carlson, Krieser, Newman, Schwinn and Steward; Duvall, Hunter and Taylor absent.

The Consent Agenda consisted of the following items: **USE PERMIT NO. 64A, USE PERMIT NO. 126A, SPECIAL PERMIT NO. 1776A, SPECIAL PERMIT NO. 1852, SPECIAL PERMIT NO. 1853, SPECIAL PERMIT NO. 1856, STREET VACATION NO. 00009 AND STREET VACATION NO. 00010.**

Item No. 1.1, Use Permit No. 64A; Item No. 1.4, Special Permit No. 1852; and Item No. 1.6, Special Permit No. 1856, were removed from the Consent Agenda and scheduled for separate public hearing. Steward moved to approve the remaining Consent Agenda, seconded by Schwinn and carried 6-0: Bayer, Carlson, Krieser, Newman, Schwinn and Steward voting 'yes'; Duvall, Hunter and Taylor absent.

Note: This is final action on Special Permit No. 1853, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.